



Exhibit B

to the Declaration of Dat Nguyen in Support of
KAIFI LLC's Reply in Support of Its
Motion for Leave to Amend Infringement
Contentions (Dkt. No. 92)

From: Sheasby, Jason <JSheasby@irell.com>

Sent: Tuesday, March 23, 2021 8:47 PM

To: Kremer, Paul J. <PKremer@gibsondunn.com>

Cc: Michael Song <michael.song@ltlattorneys.com>; Robert Bunt <rbunt@pbatyler.com>; Dat Nguyen <dat.nguyen@ltlattorneys.com>; Carson, Rebecca <RCarson@irell.com>; *** TMUS-Kaifi_C <TMUS-Kaifi_C@gibsondunn.com>; Melissa Smith <melissa@gillamsmithlaw.com>; Tom Gorham <tom@gillamsmithlaw.com>; LTL-Kaifi-T-Mobile <LTL-Kaifi-T-Mobile@ltlattorneys.com>; ~Attaway, Deana <dattaway@pbatyler.com>

Subject: Re: KAIFI v. T-Mobile - March 9 Meet and Confer

Paul.

1: We require a full response to interrogatory No. 1. We never agreed that you could only answer part of it.

2: Has T-Mobile conducted a proper search for all responsive documents relating to the definition of accused instrumentalities in our infringement contentions? This is what we seek in the motion to compel. We are concerned that you are arbitrarily placing definitions on terms such as WiFi calling and WiFi switching that is obscuring what documents are withholding.

3: We require not just documents regarding the API but the API itself. These materials should have been produced long ago. Your arbitrary statement that they are not part of the case is not an explanation. Please answer our questions.

4: We are still waiting for a lead to lead meet and confer time on depositions.

Best
JS

On Mar 23, 2021, at 8:29 PM, Kremer, Paul J. <PKremer@gibsondunn.com> wrote:

Jason,

First, as stated below, the parties' lead and local counsel met and conferred on March 9 to discuss an OTT-related supplement to T-Mobile's response to Interrogatory No. 1, and T-Mobile has been working to prepare that supplement. Our email providing KAIFI a status update was not an invitation for you to relitigate an issue that the parties' lead and local counsel already resolved.

Second, as stated below, since the parties' last meet-and-confer T-Mobile has searched for and failed to identify any additional documents related to OTT services "switching" between cellular and Wi-Fi. That is what KAIFI's lead counsel requested during the meet-and-confer, and it is what KAIFI currently seeks in its motion to compel documents "relating to all Over-the-Top ('OTT') applications that are implemented on Defendants' system with network switching." As stated below, T-Mobile has completed a search for such documents, and no documents were located during the search other than documents already produced in this case. That should end the dispute.

Third, in response to your subsequent email, KAIFI requested APIs—specifically, APIs that relate to “Wi-Fi Switching”—for the first time on March 9, during a lead-and-local meet-and-confer which you did not attend. [REDACTED]

[REDACTED] The API is not relevant to this case or called for by KAIFI’s specific request, but we are producing documents concerning this API anyway to avoid further dispute on this issue.

Finally, as stated below, we are preparing an additional production of documents which relate to Wi-Fi Calling and are responsive to certain KAIFI interrogatories.

Best regards,
Paul J. Kremer

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From: Sheasby, Jason <JSheasby@irell.com>
Sent: Tuesday, March 23, 2021 4:54 PM
To: Kremer, Paul J. <PKremer@gibsondunn.com>; Michael Song <michael.song@ltlattorneys.com>; ~Bunt, Robert <rcbunt@pbatyler.com>; Dat Nguyen <dat.nguyen@ltlattorneys.com>; Carson, Rebecca <RCarson@irell.com>
Cc: *** TMUS-Kaifi_C <TMUS-Kaifi_C@gibsondunn.com>; melissa@gillamsmithlaw.com; Tom Gorham <tom@gillamsmithlaw.com>; LTL-Kaifi-T-Mobile@ltlattorneys.com; ~Attaway, Deana <dattaway@pbatyler.com>
Subject: Re: KAIFI v. T-Mobile - March 9 Meet and Confer

[External Email]
Dear Paul:

Interrogatory No. 1 remains deficient because it claims to be limited to “WiFi Calling.” This is not acceptable. T-Mobile must provide a response as to all accused functionality.

“OTT” Documents: In writing and in a lead to lead meet and confer, T-Mobile asserted that it had not conduct a search for materials relating to anything other than WiFi calling. Has AT&T now conducted a search for all relevant and responsive technical documents relating to the Accused Instrumentalities as defined in the infringement contentions. If so, what steps were taken? And what documents were found? **We ask that you produce the API today. There is no basis for refusing to provide it.**

What additional documents have been located and when will they be produced?

Thanks
JS

From: "Kremer, Paul J." <PKremer@gibsondunn.com<<mailto:PKremer@gibsondunn.com>>>
Date: Tuesday, March 23, 2021 at 1:09 PM
To: Michael Song <michael.song@ltlattorneys.com<<mailto:michael.song@ltlattorneys.com>>>, Robert ~Bunt <rcbunt@pbatyler.com<<mailto:rcbunt@pbatyler.com>>>, Dat Nguyen <dat.nguyen@ltlattorneys.com<<mailto:dat.nguyen@ltlattorneys.com>>>, "Carson, Rebecca" <RCarson@irell.com<<mailto:RCarson@irell.com>>>
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Subject: RE: KAIFI v. T-Mobile - March 9 Meet and Confer

Dear Mike, Chris, Dat, and Rebecca:

We are continuing to address the issues raised on the parties' March 9 meet-and-confer and write to follow up on several of those items:

Source Code / Versions

On March 9, KAIFI requested that T-Mobile identify version information for the components of Wi-Fi Calling disclosed in T-Mobile's response to Interrogatory No. 1. We expect to be able to provide this information to you by next week.

OTT Documents

We have now confirmed that T-Mobile has already produced all of the documents related to OTT services "switching" between cellular and Wi-Fi that T-Mobile was able to locate following a diligent search. On our meet and confer, you referred to "APIs" for third party applications that KAIFI believes are relevant [REDACTED]

[REDACTED] Although the API is not implicated by KAIFI's claims, T-Mobile will produce documents related to this API by next week to put to rest this dispute. We therefore request that KAIFI withdraw its motion to compel, which is moot.

T-Mobile's Interrogatory Responses

By early next week, T-Mobile intends to supplement its interrogatory responses and to produce additional documents that have been recently located during T-Mobile's ongoing investigation into KAIFI's claims. T-Mobile will continue to supplement its interrogatory responses and produce documents as necessary.

T-Mobile Witness Depositions

On March 10, we requested that KAIFI serve its Rule 30(b)(6) notice sufficiently in advance of the depositions that it has noticed for T-Mobile employees so that T-Mobile can designate those employees to provide testimony on any appropriate topics. On March 18, KAIFI stated that it did not believe a 30(b)(6) notice would be necessary to put T-Mobile on notice of the topics for which it must prepare its

corporate designees; obviously, T-Mobile disagrees and KAIFI must issue a proper Rule 30(b)(6) notice if it seeks corporate testimony in this case. T-Mobile will not produce for deposition employees who are potential corporate designees unless KAIFI serves its Rule 30(b)(6) notice on T-Mobile at least two weeks in advance of the first T-Mobile witness deposition.

Please let us know if you have any questions.

Best regards,
Paul J. Kremer

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